

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Amendment of Section 73.202(b))
Table of Allotments) MB Docket No. 05-67
FM Broadcast Stations) RM - 11116
(Fishers, Lawrence, Indianapolis and)
Clinton, Indiana))

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To: Office of the Secretary
Attn: Assistant Chief, Audio Division
Media Bureau

Federal Communications Commission
Office of Secretary

COMMENTS

Indy Lico, Inc., licensee of Station WISG(FM) Fishers, Indiana, and WFMS Lico, Inc., licensee of Station WFMS(FM) Indianapolis, Indiana ("Petitioners"), by their counsel and pursuant to Section 1.415 of the Commission's Rules, hereby submits its Comments in the above captioned proceeding. *See Notice of Proposed Rule Making*, ("NPRM") DA 05-551, released March 4, 2005). In response to the Petition for Rule Making, the NPRM proposed (a) the substitution of Channel 230B1 for Channel 230A, the reallocation of Channel 230B1 from Fishers to Lawrence, Indiana, as that community's first local transmission service and the modification of Station WISG(FM)'s license accordingly; (b) the reallocation of Channel 238B from Indianapolis to Fishers, Indiana and the modification of Station WFMS(FM)'s license accordingly; and, (c) the substitution of Channel 229A for Channel 230A at Clinton, Indiana, and the modification of Station WPFR-FM's license accordingly. The proposed reallocation will not deprive Fishers of local service because the reallocation of Channel 238B to Fishers, Indiana, is proposed as a replacement service. A pleading styled as "Counterproposal-Petition for Rulemaking" was received from Indiana Community Radio Corporation. This filing does not reference the docket number or RM number of this proceeding but does include the proper caption. The filing indicates that "[t]he Counter Proposal can be granted without adversely affecting the NPRM....". Petitioners intend to respond to this pleading in reply comments.

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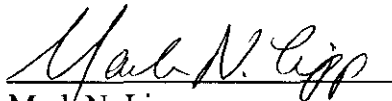
The Petitioners hereby reaffirm their interest in providing a first local transmission service to Lawrence, Indiana and Fishers, Indiana, as stated in the petition and their intention to apply for the respective channels, if reallocated. If the petition is granted, the Petitioners will file their applications for Channel 230B1 at Lawrence, Indiana, and Channel 238B at Fishers, Indiana respectively, and will construct the facilities if their respective applications are granted. The Petitioners hereby reaffirm their willingness to reimburse the licensee of Station WPFR-FM in Clinton, Indiana, for reasonable costs associated with changing to Channel 229A.

Accordingly, Indy Lico, Inc. and WFMS Lico, Inc. urge the Commission to grant the petition.

Respectfully submitted,

INDY LICO, INC.
WFMS LICO, INC.

By:


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Its Counsel

April 25, 2005

CERTIFICATE OF SERVICE

I, Giselle Abreu, an executive legal secretary in the law firm of Vinson & Elkins, L.L.P., do hereby certify that I have on this 25th day of April, 2005, caused to be mailed by first class mail, postage prepaid, copies of the foregoing "**Comments**" to the following:

- * Ms. Sharon P. McDonald
Media Bureau
Federal Communications Commission
445 12th Street, SW. Room 2-C221
Washington, D.C. 20554



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